

MICHAEL A. KAKUK
Assistant U.S. Attorney
U.S. Attorney's Office
901 Front Street, Suite 1100
Helena, MT 59626
Phone: (406) 457-5262
FAX: (406) 457-5130
Email: michael.kakuk@usdoj.gov

ATTORNEY FOR
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA, <i>ex rel.</i> BNSF RAILWAY COMPANY,	CV 19-40-M-DLC
Plaintiff/Relator,	THE UNITED STATES' MOTION
vs.	IN LIMINE
THE CENTER FOR ASBESTOS	
RELATED DISEASE, INC.,	
Defendant.	

The United States, through Assistant U.S. Attorney Michael A. Kakuk, submits this request to preclude any argument that legal or policy statements made in fact witness Heather Hillmann's 30(b)(6) deposition are the policy or position of the Social Security Administration. If such statements are allowed at trial, the government also requests a jury instruction limiting the effect of those statements.

The United States contacted counsel for both parties. Both BNSF and CARD have reserved their positions until they can review the motion in its entirety.

DATED this 1st day of June, 2023.

JESSE A. LASLOVICH
United States Attorney

/s/ Michael A. Kakuk
Assistant U.S. Attorney
Attorney for the United States